Michael O. Leavitt
Governor

Robert L. Morgan
Executive Director
Lowell P. Braxton
Division Director

1594 West North Temple, Suite 1210 PO Box 145801 Salt Lake City, Utah 84114-5801 (801) 538-5340 telephone (801) 359-3940 fax (801) 538-7223 TTY www.nr.utah.gov

June 30, 2003

CERTIFIED RETURN RECEIPT 7099 3400 0016 8896 2093

Mr. Eugene Tuttle Natural Organic Fertilizer, Inc. 1409 Lubbock Highway Lamesa, Texas 79331

Re: Mine Status Inquiry, Natural Organic Fertilizer Mill Site, S/019/054, Grand County, Utah

Dear Mr. Tuttle:

On May 29, 2003, I visited the referenced mine site. A copy of the inspection report is enclosed. As discussed in the report, I have a few concerns about the site. Any mine with a disturbance of more than five acres is classified as a large mine which requires that a reclamation bond be filed with the Division. Your letter of November 6, 2000, says, "We have cleared and bladed approximately 10 acres NW of the old homestead . . ." The global positioning system (GPS) readings I took gave a disturbed area of 8.28 acres. Therefore, the site qualifies as a large mine because it is larger than five acres.

Most of the disturbance is minimal, and reducing it to less than five acres would be very simple. Using T-posts or something similar, you would simply need to mark a five-acre area within which you would confine your operations. The disturbed area would need to include all of the equipment and the trench and as much of the non-native vegetation as possible. Those areas where greasewood has become established could be released with no grading or other work on your part.

If you desire to conduct a large mining operation, you will need to file a Notice of Intention to Conduct Large Mining Operation. The Division would review this notice, and you would eventually need to post a reclamation bond.

Vegetation is becoming reestablished in the disturbed area, and while some of it is the native plant greasewood, there is a large area of Russian knapweed which is a noxious weed. The Noxious Weed Act requires that you attempt to control this weed, and eventual revegetation with desirable species will be very difficult if you do not.

The Division did not receive your annual reports for 2001 or 2002 as required by rule R647-3-112. There does not appear to have been any recent activity on the site, and we would like to know of your future plans. Rule R647-3-112.3 says



Page 2 Natural Organic Fertilizer Mill Site S/019/054 June 30, 2003

In the case of a termination or a suspension of mining operations that has exceeded, or is expected to exceed two (2) years, the operator shall, upon request, furnish the Division with such data as it may require to evaluate the status of the small mining operation, the status of compliance with these rules, and the probable future status of the land affected. Upon review of such data, the Division will take such action as may be appropriate. The Division may grant an extended suspension period if warranted.

In accordance with this regulation, the Utah Division of Oil, Gas and Mining hereby requests an updated telephone number and any other updated information you can provide. Please let us know your plans for future operations, including whether you will mark a disturbance area of five acres or less or if you will be filing a Notice of Intention to Conduct Large Mining Operations.

Please respond to these requests no later than August 1, 2003. You may write to me at the above address, or you may call me at 801-538-5261. You could also send an electronic mail message to paulbaker@utah.gov.

Thank you for your cooperation.

Sincerely,

Paul B. Baker

Senior Reclamation Biologist

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Enclosure: Inspection Report with map and photos

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